IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bimal Poddar

Title: EFFICIENT DETECTION OF TEXTURE SHARING BETWEEN MULTIPLE CONTEXTS

Docket No.: 884.895US1

Filed: September 29, 2000

Examiner: Thu-Thao Havan

Customer No.: 21186

Serial No.: 09/672,954

Due Date: May 18, 2005

Group Art Unit: 2672

Confirmation No.: 2928

Commissioner for Patents

Attn: MAIL STOP ISSUE FEE

P.O. Box 1450

Alexandria, VA 22313-1450

Notice of Allowance Date:

February 18, 2005

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number: 21186

By *Ann M. McCrackin*

Ann M. McCrackin

Reg. No. 42,858

AMM1:CMG:djk

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Dennis J. Kangh

Name

(signature)

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bimal Poddar	Examiner: Eric V. Woods
Serial No.:	09/672,954	Group Art Unit: 2672
Filed:	September 29, 2000	Docket: 884.895US1
Title:	EFFICIENT DETECTION OF TEXTURE SHARING BETWEEN MULTIPLE CONTEXTS	
Assignee:	Intel Corporation	Customer No: 21186

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Commissioner for Patents
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COMMENTS ON STATEMENTS FOR REASONS FOR ALLOWANCE AND APPLICANT INTERVIEW SUMMARIES

In response to the Notice of Allowance and Notice of Allowability mailed February 18, 2005, please consider the remarks as follows:

APPLICANT INTERVIEW SUMMARIES

Applicant would like to thank Examiner Eric Woods for initiating a telephonic interview with Applicant's Representative, Andrew DeLizio, on February 2, 2005 and on April 27, 2005 regarding the above-identified patent application.

In the February 2, 2005 interview, the Examiner proposed incorporating features of dependent claims 2, 6, 10, 14, 18, and 20 into claims 1, 5, 9, 13, 17, and 19, respectively. The Examiner indicated that these amended claims would be allowable over the cited documents of record. Applicant accepted the Examiner's proposal and authorized the Examiner to enter an Examiner's amendment as per the proposal (see Examiner's Amendment at page 2 of Notice of Allowance).

No exhibits were shown and no demonstrations were conducted. No other pertinent matters were discussed.

In the April 27, 2005 interview, the Examiner proposed amending claim 4 to correct an error in claim dependency. Specifically, the Examiner proposed amending claim 4 to depend on claim 1.

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<u>COMMENTS ON STATEMENTS FOR REASONS FOR ALLOWANCE</u>

In response to the Examiner's proposal, Applicant amended the independent claims to include features recited in dependent claims (e.g., claim 1 was amended to include features of claim 2). Although Applicant amended certain claims, Applicant believes the originally filed claims are patentable over the prior art and reserves all rights for pursuing the originally filed claims in a continuation application.

The Examiner's Statement of Reasons for Allowance asserts that the combination of US Patent 6,243,736 to Diepstraten et. al, Lazzarotto's "Bitwise Logical Operations in CA-Visual Objects", and US Patent 5,818,469 to Lawless would have rendered the originally filed claims obvious. See Notice of Allowance at page 5, paragraph 24. Because the combination of Diepstraten, Lazzarotto, and Lawless was first asserted in the Examiner's Statement of Reasons for Allowance, Applicant will discuss the combination below.

Applicant respectfully traverses the Examiner's position because the cited combination does not make a *prima facia* case of obviousness.

> In order for the Examiner to establish a *prima facie* case of obviousness, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)).

Applicant respectfully submits that the Examiner's Statement of Reasons for Allowance does not establish a *prima facie* case of obviousness because the cited documents do not teach or suggest all the claim elements, and even if they did, there is no suggestion or motivation to combine the documents.

THE REFERENCES DO NOT TEACH OR SUGGEST ALL THE CLAIM ELEMENTS

Claim 1, as originally filed, recites "obtaining a texture usage mask of a subject texture", "obtaining an inverted context ID of a subject context", and "ANDing the texture usage mask of the subject texture with the inverted context ID of the subject context to produce a resultant

value". As discussed in Applicant's Appeal Brief, Lawless and/or Grossman (U.S. 5,230,039) do

not teach or suggest these and other features of originally filed claim 1. See Appeal Brief at pp.

7-10. The only way for the combination of Diepstraten, Lazzarotto, and Lawless to teach or

suggest each and every element of originally filed claim 1 is for Diepstraten and Lazzarotto to

provide what is missing from Lawless. While Diepstraten discusses a "context controller for

managing multitasking in a processor" and Lazzarotto discusses bitwise logical operations, the

Examiner has not identified a single passage in either reference that teaches or suggests any of

the features recited in originally filed claim 1. Originally filed claims 5, 9, 13, 17, and 19 include

features similar to those discussed above vis-à-vis originally filed claim 1. As such, Applicant

submits that the combination of Diepstraten, Lazzarotto, and Lawless does not teach or suggest

each and every element of claims 1, 5, 13, 17, and 19, as originally filed.

Each of originally filed claims 2-4, 6-8, 10-12, 14-16, and 18 depend directly or indirectly

on one of originally filed independent claims 1, 5, 9, 13 or 17. As a result, Applicant respectfully

submits the cited combination does not teach or suggest each and every element of claims 2-4, 6-

8, 10-12, 14-16, and 18.

THERE IS NO SUGGESTION TO COMBINE DIEPSTRATEN, LAZZAROTTO, AND LAWLESS

Applicant respectfully submits the Examiner has improperly combined Diepstraten,

Lazzarotto, and Lawless. For a proper combination, the Examiner must show that some

objective teaching in the prior art or some knowledge generally available to one of ordinary skill

in the art would lead an individual to combine the relevant teaching of the references. *In re Fine,*

F.2d 1071, 1074, 5 USPW2d 1596, 1598 (Fed. Cir. 1988).

The *Fine* court stated,

> Obviousness is tested by "what the combined teaching of the references would have
> suggested to those of ordinary skill in the art." *In re Keller,* 642 F.2d 413, 425, 208
> USPQ 871, 878 (CCPA 1981)). But it "cannot be established by combining the
> teachings of the prior art to produce the claimed invention, absent some teaching or
> suggestion supporting the combination." *ACS Hosp. Sys.,* 732 F.2d at 1577, 221
> USPQ at 933. And "teachings of references can be combined *only* if there is some
> suggestion or incentive to do so." *Id.* (emphasis in original).

The Examiner does not identify any passage in the references that teaches or suggests the cited

combination. Because the Examiner has not identified any teaching or suggestion to combine the

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cited references, Applicant submits the combination is improper.

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REMARKS

Claims 1, 3-5, 7-9, 11-13, 15-17, 19, 21 and 25-27 were indicated as being allowed.

The Examiner is invited to telephone Applicant's attorney, Andrew DeLizio at (281)-213-8980, or Applicant's below-named representative if there are any questions concerning this matter.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

BIMAL PODDAR

By his/her Representatives,

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Date _May 18, 2005_ By _Ann M. McCrackin_
               Ann M. McCrackin
               Reg. No. 42,858

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Dennis J. Kemple
Name

Signature